

ORDINANCE NO. 163 - 2017

AN ORDINANCE UPDATING THE FEE SCHEDULE FOR BUILDING PERMITS, CONTRACTOR REGISTRATION, ZONING APPLICATIONS, AND PLAT APPLICATIONS SCHEDULE INSIDE THE TERRITORIAL CITY LIMITS OF LONE OAK, HUNT COUNTY, TEXAS; PROVIDING FOR THE REPEAL OF ALL PREVIOUS OUTDATED AND CONFLICTING FEE SCHEDULES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the current fee schedules for various permits and applications are outdated and insufficient to recover administrative costs associated with building inspections, food service inspections, fire inspections, etc.; and

WHEREAS, the City of Lone Oak has the desire to improve customer service and make the development process efficient and customer friendly; and

WHEREAS, the City Council, after careful consideration of the matter, hereby finds and declares that permit and application fees imposed upon residential and non-residential development should be equitable and do not impose an unfair burden on such development; are in the best interest of the general welfare of the City and its residents by promoting safe building practices;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF LONE OAK, HUNT COUNTY, TEXAS:

Section 1. Fee schedule, building and development fees and charges

FEE SCHEDULE, BUILDING AND DEVELOPMENT FEES AND CHARGES as set forth in the City of Lone Oak Code of Ordinances, are hereby established in Appendix A attached hereto. This fee schedule will be reviewed at least yearly and adjusted as necessary. The fee schedule will be adopted by vote of the council and will reside as part of this ordinance as an *Appendix*.

Future fee reviews will not require adopting a new ordinance, the fee schedule will be presented to council for adoption and the Appendix will be updated and posted as required.

Section 2. Definitions

Alteration - The action or process of altering or being altered.

Building - The process of constructing a structure.

Building permit – A permit to be issued by the City of Lone Oak granting work be performed at a specific location by an insured contractor and to be posted at the location the work is to be performed.

Commercial - Structure designed for providing a service in exchange for currency by engaging in commerce.

Contractor – A licensed and insured person or company that undertakes a contract to provide materials or labor to perform a service or do a job.

Electrical - A network of electrical components deployed to supply, transfer, and use electric power.

Electrician - A licensed and insured person or company who installs and maintains electrical equipment.

Electrical permit – A permit to be issued by the City of Lone Oak granting work be performed at a specific location by a licensed and insured electrician by or under a master electrician and to be posted at the location the work is to be performed.

Existing structure – Structure in existence at the time of application.

Food Establishment – A structure that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption on or off premises.

HVAC - Heating, ventilation and air conditioning is the technology of indoor and vehicular environmental comfort. Its goal is to provide thermal comfort and acceptable indoor air quality.

HVAC Technician - A licensed and insured person or company who installs and maintains an HVAC system and equipment.

HVAC permit – A permit to be issued by the City of Lone Oak granting work be performed at a specific location by a licensed HVAC technician to be posted at location.

Industrial – Structure designed for the processing of raw materials and manufacture of goods in factories

Institutional - Structure designed for a religious, educational, social, or similar purpose.

Intra-City Moving – Relocation of a structure that travels upon the city streets. Including manufactured home movers that do not have a TXDOT permit.

Major – Repair, alteration, or remodel of structure, plumbing electrical, or HVAC that exceeds five thousand dollars (\$5000.00) or 75% of structure/system.

Medical – A structure designed for providing medical and surgical treatment and nursing care for sick or injured people.

Minor – Repair, alteration, or remodel of structure, plumbing electrical, or HVAC that does not exceed five thousand dollars (\$5000.00) or 75% of structure/system.

Manufactured home application – Application for approval to ensure manufactured home complies with existing ordinance 154-2016. Fee associated are for administrative

fees only to insure compliance with ordinance. No building permit and inspection is required unless adding a porch or addition to the home. A permit will be required for Plumbing, Electrical, HVAC, and Drive way.

Multi-Family – A single structure designed with living space for multiple families to occupy.

New construction – Construction that is planned for a property that is currently undeveloped or existing developed property that will have to be completely demolished and re-developed or exceeds 75% of structure.

Retail – A structure designed for the sale of goods to the public in relatively various quantities for use or consumption.

Plan - Each building permit requires a plan be submitted with the permit application. Each plan must be completed by an Architect or Professional engineer. Each plan must have the seal of the Architect or professional engineer.

Plan Review - Each plan for new construction, remodel, or alteration will be reviewed the City of Lone Oak prior to permit being issued.

Plumber - A licensed and insured person or company who installs and repairs the pipes and fittings of water supply, sanitation, or heating systems.

Plumbing - the system of pipes, tanks, fittings, and other apparatus required for the water supply, heating, and sanitation in a structure.

Plumbing permit – A permit to be issued by the City of Lone Oak granting work be performed at a specific location by a licensed and insured plumber by or under a responsible master plumber and to be posted at the location the work is to be performed.

Registration – Each contractor, plumber, electrician, or HVAC technician is required to register with the City of Lone Oak to ensure the person(s) are licensed by the state and insured for the service they are providing.

Remodel - Change the structure or form of an existing property.

Repair - The action of fixing or mending a structure, plumbing system, electrical system, or HVAC system.

Residential – Structure designed with living space for human occupancy.

Single Family – A single structure designed with living space for only one family to occupy.

Structure – With a roof and walls standing such as a house, factory, store, carport, shed, garage,

Townhouse - house generally having two or more floors.

Section 3. Notice of violation

A violation will be delivered, by hand, to address associated with said violation. Violation will be given to responsible party such as Owner, Contractor, Plumber, Electrician, or HVAC technician.

Section 4. Penalty for violations

Any person who violates any provisions or part of these rules, or does not comply with the requirements of these regulations shall be guilty of a Class C Misdemeanor and shall be fined no less than twenty-five and no/100 (\$25.00) and not more than five hundred (\$500) dollars, court costs, and restitution fees in accordance with the general penalty per violation; each day of violation constitutes a separate offense.

It is the intention of the city council of Lone Oak that each separate provision in this ordinance shall be deemed independent of all other provisions herein and it is further the intention of the city council that if any provision of this ordinance is declared invalid or unconstitutional, all other provisions thereof shall remain valid, enforceable, and constitutional.

Section 5. Right to appeal

An owner who has received a violation under any section of this ordinance has the right to appeal and request a hearing before the judge of the Lone Oak Municipal Court. Request for a hearing must be in writing and received by the court in no less than ten (10) business days after the date the violation(s) were issued. The court will then notify the defendant within two (2) weeks prior to hearing with the appearance date, time, and any other instructions. If owner fails to appear at their requested hearing, the court will is a violation of promise to appear violation.

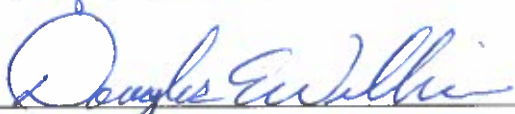
Section 6. Repeal of conflicting Ordinances and Resolutions

Existing Resolution 114-2015 of the City of Lone Oak, Hunt County, Texas are hereby repealed insofar as they may be inconsistent with the provisions of this ordinance.

Existing Section 6 "The fee for the placement and occupancy permit shall be \$.015 per square foot on enclosure or a minimum of \$125.00 (75\$ permit plus \$50 inspection cost)" of Ordinance 154-2016 of the City of Lone Oak, Hunt County, Texas are hereby repealed insofar as they may be inconsistent with the provisions of this ordinance.

Existing Section 105.2 of Ordinance 157-2017 of the City of Lone Oak, Hunt County, Texas are hereby repealed insofar as they may be inconsistent with the provisions of this ordinance.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF LONE OAK, HUNT COUNTY, TEXAS THIS 34 DAY OF May, 2017.



Douglas E. Williams, Mayor

ATTEST:



Kathy Voss, City Secretary

APPENDIX 'A'
GENERAL PROVISIONS

AMENDED 8-14-2018

Permit Required: Any owner/individual or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical, or plumbing system, the installation of which is regulated by City or State Codes, or to cause any such work to be done, shall first submit an application at City Hall and obtain the required permit(s). A permit is required for all work done either by a contractor or an individual. **DRAWING PLANS ARE REQUIRED FOR ALL NEW OR REMODEL CONSTRUCTION FOR REVIEW.**

Un-Permitted Work Triple Permit Fees
(Work performed with no permits or by unregistered or unlicensed trades)

FEE SCHEDULE

RESIDENTIAL – New Construction & Remodels

New Construction Building Permit - \$0.15 per total sq. ft. \$ vary

+New Construction Plan Review	\$175
+Plumbing	\$150
+Electric	\$75
+HVAC	\$75

Remodel/Renovation Building Permit

(To existing structures including homes, roofing, foundation, carport, garage, etc.)

Up to 100 sq. ft.	No charge
100 sq. ft. and up - \$.15 per total sq. ft.	\$ vary
+Remodel Plan Review	\$75
+Electric	\$75
+Plumbing	\$75
+HVAC (if applies)	\$75

UTILITY REMODEL / RENOVATION (without Building Permit)

Electrical Permit	\$75
HVAC Permit.....	\$75
Plumbing/Gas Permit (i.e. hot water heater).....	\$75
New Plumbing/Gas Permit (rough in & final)	\$150
Temporary Electrical Pole (without new construction)	\$150

COMMERCIAL

New Construction Building Permit - \$0.20 per total sq. ft. \$ vary

(Ex. 3,000 sq.' x .20 = \$600)

+**Commercial Plan Review** equal to 50% of the permit fee is required for all new construction, renovations, and additions. (above Ex. \$600 sq. ' x .50% = \$300

+**Utility fees** for mechanical, electrical, and plumbing permits issue in conjunction with the above permit, the permit fee shall be 10% of the building permit fee.

(Above Ex. \$600 x 10% = \$60 for Electric, \$60 HVAC, \$120; 2x for plumbing rough-in & final)

COMMERCIAL UTILITY (without Building Permit)

Electrical Permit..... **\$175**

HVAC Permit..... **\$175**

Plumbing/Gas Permit..... **\$175**

CONTRACTOR REGISTRATION (annually)

Electrical, HVAC, Contractor License & Registration Fee **\$25 each**

(Registration expires when current license or insurance expires.)

No fee for plumber registration.

OTHER PERMITS AND FEES

House Moving Fee..... **\$250**

Without TxDOT permit. Move into the city or street to street.

Manufactured Homes (without TXDOT Permit)..... **\$250**

(permits required for Plumbing \$75, Electrical \$75, HVAC \$75, & Driveway \$75 as they apply)

Demolition Permit

Residential **\$35**

Commercial (must submit asbestos survey) **\$100**

Signs / Billboards..... **\$100**

CERTIFICATE OF OCCUPANCY

Residential

(a) New homes or resale of a home..... **\$75**

(b) Owners of rental houses must have re-inspection per each occurrence of rental..... **\$50**

Commercial..... **\$100**

Safety Inspections (annually)

\$ 60

RIGHT-OF-WAY WIRELESS NETWORK

Application Fee per Network Node	\$100
Application Fee per Node Support Pole	\$100
Application Fee per Transfer Facility	\$100
Annual Public Right-of-Way Rate per Network Node	\$250
Monthly Rental Rate per Network Node for each Transfer Facility	\$ 28
Annual Rental Rate for Collocation of Network Node per Service Pole	\$ 20

ZONING APPLICATION FEES

Zoning Change Request.....	\$300
Specific Use Permit	\$300
Variance Use Permit	\$300

SWIMMING POOL / SPA Permit (Fence is required)

(Swimming pool permits are good for the life of the pool)

Above Ground	\$100.00	In Ground	\$150.00
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New Fence Permit \$25.00

New Driveway Permit \$75.00

(Culvert to be approved and inspected by Public Works Dept.)

Fire Sprinkler System Permit (Plan Review and Inspection) \$150

Re-inspection Fees (at discretion of the city inspector)

1 st Re-inspection.....	\$50
2 nd Re-inspection.....	\$75
3 rd and each subsequent re-inspection	\$100
After Hours Inspections.....	\$100/hour

Work Exempt from Permits

1. The repair or replacement of an existing fence in a residential district in which approved materials are used and all other requirements are met.
2. Roof repairs in which less than 10% of the roof area is involved.
3. Cosmetic improvements such as painting, cabinets, counter-tops, tile, non-structural repairs, replacement of wall materials of any wall, or floor covering installation such as carpet, etc. under \$2,000.
4. Appliance installation which does not require the device to have additional electrical, gas, or plumbing services installed.
5. Retaining walls less than 4 feet tall.
6. Playground equipment located at a single-family dwelling.
7. Storage sheds without electricity or water